

PATENT  
Customer No. 22,852  
Attorney Docket No. 07528.0003-01

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
)  
Todd J. MORTIER et al. ) Group Art Unit: 3738  
)  
Application No.: 09/981,790 ) Examiner: David Willse  
)  
Filed: October 19, 2001 )  
)  
For: VALVE TO MYOCARDIUM ) Confirmation No.: 6743  
TENSION MEMBERS DEVICE )  
AND METHOD )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicants bring to the attention of the Examiner the documents on the attached Form PTO/SB/08. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final action, Quayle action, or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement is accompanied by a fee of \$180.00 as specified by Section 1.17(p).

Copies of the U.S. patent publications are not enclosed. Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the U.S. Patent and Trademark Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

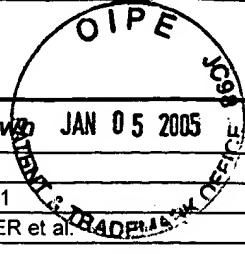
If there is any fee due in connection with the filing of this Statement that is not otherwise accounted for, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

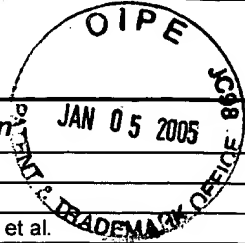
Dated: January 5, 2005

By: *Susanne T. Jones*  
Susanne T. Jones  
Reg. No. 44,472



<b>IDS Form PTO/SB/08: Substitute for form 1449A/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)			<b>Complete if Known</b>		
			Application Number	09/981,790	
			Filing Date	October 19, 2001	
			First Named Inventor	Todd J. MORTIER et al.	
			Art Unit	3738	
			Examiner Name	David Willse	
Sheet	1	of	4	Attorney Docket Number	07528.0003-01

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS					
Examiner Initials	Cite No. <sup>1</sup>	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
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IDS Form PTO/SB/08: Substitute for form 1449A/PTO			<b>Complete if Known</b>		
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			Examiner Name	David Willse	
Sheet	2	of	4	Attorney Docket Number	07528.0003-01

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# **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

3

of

4

Application Number

09/981,790

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October 19, 2001

First Named Inventor

Todd J. MORTIER et al.

Art Unit

3738

Examiner Name

David Willse

Attorney Docket Number

07528.0003-01

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# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet

4

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## Complete if Known

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**Note: Copies of the U.S. Patent Documents are not Required in IDS filed after October 21, 2004**

Examiner Signature		Date Considered	
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